

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

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DELBERT M. GREENE,  
Plaintiff,

v.

DWIGHT NEVEN, et al.,  
Defendants.

3:07-cv-00474-LRH-VPC

ORDER

Before this Court is the Report and Recommendation of U.S. Magistrate Judge Valerie P. Cooke (#97<sup>1</sup>) entered on May 17, 2011, recommending granting Defendants' Motion to Dismiss (#92) filed on February 28, 2011. Plaintiff filed his Objections to Magistrate Judge's Report and Recommendation (#98) on May 31, 2011. Defendants did not file an opposition to Plaintiff's Objections. This action was referred to the Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1) and Local Rule 1B 1-4 of the Rules of Practice of the United States District Court for the District of Nevada.

The Court has conducted its *de novo* review in this case, has fully considered the objections of the Plaintiff, the pleadings and memoranda of the parties and other relevant matters of record pursuant to 28 U.S.C. § 636 (b) (1) (B) and Local Rule IB 3-2. The Court determines that the Magistrate

<sup>1</sup>Refers to court's docket number.

1 Judge's Report and Recommendation (#97) entered on May 17, 2011, should be adopted and accepted.

2 IT IS THEREFORE ORDERED that the Magistrate Judge's Report and Recommendation (#97)  
3 entered on May 17, 2011, is adopted and accepted.

4 IT IS FURTHER ORDERED that Defendant's Motion to Dismiss (#92) is GRANTED and  
5 Plaintiff's Third Amended Complaint (#91) is DISMISSED without prejudice.

6 IT IS SO ORDERED.

7 DATED this 14th day of July, 2011.

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11 LARRY R. HICKS  
12 UNITED STATES DISTRICT JUDGE  
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